

THIS NEW RULE RECEIVED FINAL APPROVAL BY THE UTAH STATE BOARD OF EDUCATION ON MAY 3, 2007. THE RULE HAS BEEN FILED WITH THE DIVISION OF ADMINISTRATIVE RULES AND IS SCHEDULED TO BE PUBLISHED IN THE JUNE 1, 2007 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF JULY 9, 2007.

R277. Education, Administration.

R277-489. Optional Extended-Day Kindergarten - Responsibilities, Timelines, and Funding.

R277-489-1. Definitions.

- A. "Board" means the Utah State Board of Education.
- B. "Enrollment" means class enrollment of not more than the student enrollment of other kindergarten classes within the school.
- C. "Kindergarten readiness assessment" means an assessment based on research and data that determines a child's readiness to begin kindergarten, as determined by the school district or charter school.
- D. "Optional Extended Day Kindergarten" means a program that provides additional instruction to kindergarten age students as either an extension of the half day program or extended time before or after school, on Saturdays or during the summer.
- E. "Required instructional hours" means at least the same number of instructional hours, per school year, as first grade consistent with R277-419-1, Pupil Accounting.
- F. "USOE" means the Utah State Office of Education.

R277-489-2. Authority and Purpose.

- A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, by Section 53A-1a-802 which directs the Board to make rules establishing application and reporting procedures to administer the optional extended-day kindergarten program, and by Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.
- B. The purpose of this rule is to establish criteria and procedures for application and reporting procedures to administer the optional extended-day kindergarten program.

R277-489-3. School District Responsibilities.

- A. School districts intending to participate in the optional extended-day kindergarten program shall submit a letter of intent to the USOE by May 1, 2007 and by application every succeeding year.
- B. School districts shall submit applications available from the USOE by July 2, 2007 and by August 10 for each year thereafter providing:

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(1) the school(s) within the district that will participate in the optional extended-day program;

(2) the approximate number of classes of optional extended-day kindergarten that will be offered at each school in the district;

(3) the approximate number of Title I schools identified by the school district, and which Title I schools will participate in the optional extended-day kindergarten program;

(4) the approximate number of students in the school district who were eligible to receive free school lunch under USDA regulations in the previous school year; and

(5) all other assurances, information and documentation required by the USOE on the application.

R277-489-4. Charter School Responsibilities.

A. Charter schools shall be in, at least, their second year of successful operation to participate in the optional extended-day kindergarten program.

B. Charter schools that intend to participate in the optional extended-day kindergarten program shall submit a letter of intent to the USOE by July 2, 2007 and by August 10 each year thereafter providing:

(1) that the school intends to participate in the optional extended-day kindergarten program;

(2) the approximate number of classes of optional extended-day kindergarten that will be offered at the school;

(3) if the charter school is designated as a Title I school;

(4) the approximate number of students in the school who were eligible to receive free school lunch under USDA regulations in the previous school year; and

(5) all other assurances, information and documentation required by the USOE on the application.

R277-489-5. Funding.

A. Optional extended-day kindergarten program funds shall be distributed to charter schools and school districts consistent with Section 53A-1a-803(3) and (4) respectively.

B. The Board shall modify the distribution of funds to provide sufficient funding for each Title I school, including neighborhood and charter schools, to participate in the optional extended-day kindergarten program.

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C. Funding modifications for Title I schools shall be made separately for school districts and charter schools.

D. \$ 7,500,000 of the \$30,000,000 appropriated for the optional extended-day kindergarten program shall be distributed annually in 2007, 2008, 2009 and 2010 to participating school districts and charter schools, consistent with Section 53A-1a-803.

R277-489-6. Assessment, Accountability and Reporting.

A. Both school districts and charter schools shall use a self-selected kindergarten readiness assessment with all kindergarten students.

(1) The days used for assessment shall be consistent with R-277-419-8, Pupil Accounting.

(2) The USOE may provide a model kindergarten assessment from a list of appropriate assessments.

(3) Post assessments shall be completed by school districts and charter schools prior to the ending of the school year and reported to the Board.

(4) Post assessments results for all kindergarten students shall provide evidence of student learning matched to the program's pre-assessment used for program placement.

B. The USOE shall require and school districts and charter schools shall provide annual reports to the USOE consistent with Section 53A-1a-802(4)(a).

C. School districts and charter schools that fail to provide complete, accurate and timely reports shall not receive funding in subsequent years.

KEY: kindergarten, extended-day

Date of Enactment or Last Substantive Amendment: 2007

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1a-802; 53A-1-401(3)